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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 TERRANCE BROWN,

12 Petitioner,

13 v.

14 DOMINGO URIBE, JR., Warden,

15 Respondent.
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Case No. ED CV 10-0128 DOC (JCG)

**ORDER ADOPTING FINDINGS,
CONCLUSIONS AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE AND
DENYING CERTIFICATE OF
APPEALABILITY**

19 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all of the
20 records herein, and the Report and Recommendation of the United States Magistrate
21 Judge. No objections to the Report and Recommendation have been filed. The
22 Court approves and adopts the Magistrate Judge's Report and Recommendation.

23 Additionally, for the reasons stated in the Report and Recommendation, the
24 Court finds that Petitioner has not made a substantial showing of the denial of a
25 constitutional right. *See* 28 U.S.C. § 2253; Fed. R. App. P. 22(b); *Miller-El v.*
26 *Cockrell*, 537 U.S. 322, 336 (2003). Thus, the Court declines to issue a certificate of
27 appealability.

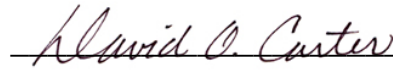
28 Accordingly, IT IS ORDERED THAT:

- 1 1. Judgment shall be entered dismissing the action with prejudice.
- 2 2. The Clerk shall serve copies of this Order and the Judgment herein on
- 3 the parties.
- 4 3. A Certificate of Appealability is denied.

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7 DATED: July 26, 2011

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9 HON. DAVID O. CARTER

10 UNITED STATES DISTRICT JUDGE

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